

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KWAHERI M. ROWLAND,

Petitioner,

No. CIV S-04-0329 MCE EFB P

vs.

ANTHONY LAMARQUE,

Respondent.

ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. On November 3, 2008, petitioner inquired into the status of this case and alerted the court to the fact that this matter has been submitted for decision for at least four years.

The background of this case is relatively straightforward. The matter proceeds on the February 17, 2004 petition. Respondent answered on August 24, 2004, and petitioner did not file a reply. The matter therefore is submitted for decision and, in due course, the court will issue findings and recommendations. However, this court faces a tremendous backlog of habeas petitions. From January 1, 2004 through December 31, 2007, California prisoners commenced more than 2,600 actions seeking habeas corpus relief from the Sacramento Division of the United States District Court for the Eastern District of California. Thus, while the court is aware that petitioner's application has been submitted for some time now, a few others have been

1 submitted longer. It is the policy of this court to resolve habeas petitions in the order in which
2 they were submitted for decision. The court is aware of petitioner's case and will address it
3 shortly. As long as petitioner keeps the court informed of any change of address, no further
4 action on his part is necessary.

5 So ordered.

6 Dated: November 12, 2008.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE